

1 \_\_\_\_\_ BILL NO. \_\_\_\_\_

2 INTRODUCED BY \_\_\_\_\_  
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A COUNTY TO COLLECT A FEE FOR FIRE  
5 PROTECTION ON RURAL REAL PROPERTY WITHIN A FIRE SERVICE AREA; AMENDING SECTION  
6 7-33-2404, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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10 **Section 1.** Section 7-33-2404, MCA, is amended to read:

11 **"7-33-2404. Financing of fire service area -- fee on structures.** (1) In the resolution creating the  
12 fire service area and by resolution as necessary after creation of the fire service area, the board of county  
13 commissioners shall:

14 (a) establish a schedule of rates to be charged owners of structures that are benefited by the  
15 services offered by the fire service area; or

16 (b) establish a schedule of fees to be assessed on all rural real property that is in the fire service  
17 area and that receives fire protection benefits. The fee must be approved by a majority of the qualified  
18 electors in the fire service area.

19 (2) The rates or fees must be applied on a fair and equal basis to all classes of structures or to all  
20 rural real property benefited by the fire service area.

21 (3) The board of county commissioners shall if authorized by law, collect the funds necessary to  
22 operate the fire service area by charging the area rate as a special assessment on the owners of structures  
23 or, if applicable, the area fee provided for in subsection (1)(b) as a special assessment on rural real  
24 property and shall collect the assessments with the general taxes of the county. The assessments are a  
25 lien on the assessed property.

26 (4) The board of county commissioners or the trustees, if the fire service area is governed by  
27 trustees under 7-33-2403, may pledge the income of the fire service area to secure financing necessary  
28 to procure equipment and buildings to house the equipment. The outstanding amount of the indebtedness  
29 may not exceed 18% of the taxable valuation of the area."

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2 - END -